

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68315 of 2024**

Arising Out of PS. Case No.-221 Year-2024 Thana- SABAUR District- Bhagalpur

Vinod Kumar, Son of Ram Mandal Resident of Village- Thakur Tola  
Banshipur, P.S. - Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Ms. Sweta Barnwal              |
|                          |   | Mr. Ved Prakash Chandan        |
| For the Opposite Party/s | : | Mr. Sunil Kumar Pandey- A.P.P. |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      18-12-2024                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Sections 341, 323, 313, 376, 504, 506 and 34 of the Indian  
Penal Code.

3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and the  
informant alleges that her husband died in the year 2021,  
thereafter she fell in love with the petitioner and petitioner on  
pretext of marriage, established physical relation, on account of  
which, she became pregnant, but petitioner and his brother in-  
law gave her medicine on account of which, the pregnancy was



aborted and thereafter, family members of the petitioner refused to marry the petitioner with the informant.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that petitioner used to come to meet his brother in-law Shiv Shankar, who is maternal cousin of the brother in-law of the informant, as such, the informant came to know the petitioner and thereafter, they fell in love. It is next submitted that informant has concealed an important fact that after the death of her first husband, she married Pramod Mandal as specifically pleaded at Para-10 of the anticipatory bail application. It is also submitted that the informant from her first husband was having a child and thereafter, she had married Pramod Mandal and the petitioner was not aware that the informant had married Pramod Mandal after the death of her first husband. It is also submitted that relationship was purely consensual between two consenting adults, as such, allegation of rape in the nature of allegation is not made out. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.



5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour P. S. Case No.221 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

